

## **REMARKS**

### **Objection to claim 19**

The Examiner objected to a grammatical error in claim 19. Claim 19 has been amended as suggested to overcome the Examiner's objection.

### **Rejection of claims 16-18 under 35 U.S.C. §102(b) as being anticipated by Bunyea**

The Examiner rejected claims 16-18 under 35 U.S.C. §102(b) as being anticipated by Bunyea. Applicants traverse the Examiner's finding of anticipation and the Examiner's interpretation of the prior art. Bunyea does not teach or suggest the claimed invention.

In the rejection, the Examiner identifies part 64 of Bunyea, a "release member" (col. 4, line 55), for the claim limitation of "rails in the interior of the housing." The claimed rails are part of the housing and on the interior of the housing. Part 64 in Bunyea is not part of the housing and are not rails in the interior of the housing. Part 64 is a latch mechanism and does not in any way appear to be related to the claimed structure of a rail in the housing.

Alternatively, the Examiner identifies part 80 of Bunyea, "partitions" (col. 4, line 55), for the claimed "rails in the interior of the housing." The claimed rails are part of the housing and the latch mechanism slides between the rails. Part 80 is part of the housing but the latch mechanism does not slide between the partitions. Part 80 does not in any way appear to be related to the claimed limitation of a rail in the housing where the latch mechanism slides between the rails. The Examiner has merely pointed out disjoint pieces of the prior art device that have some similarity to the claim elements, but the cited pieces

of the device do not have the same interaction as the claimed structure. Reconsideration of the rejection is respectfully requested.

In the rejection, the Examiner identifies part 58 of Bunyea, a “retaining spring” (col. 3, line 3), for the claim limitation of “a battery latch with at least one resilient spring member.” In Bunyea, the retaining spring 58 is simply a spring that engages the battery. So it could be considered a battery latch. But the retaining spring 58 does not have the other characteristics of a battery latch as claimed herein. Specifically, retaining spring 58 is not integral with the latch - it is the latch as defined by the Examiner. The retaining spring’s resilient spring member (again the retaining spring 58) is not placed against the “end stop,” but instead engages the battery directly. The retaining spring 58 does not have a protruding member extending into the battery compartment when the battery latch is in the extended position, because the retaining spring does not have a protruding member that is distinct from the spring member. Again, the Examiner has merely pointed out disjoint pieces of the prior art device that have some similarity to the claimed limitations, but the cited pieces of the device do not have the same interaction as the claimed invention. Reconsideration of the rejection is respectfully requested.

With regards to claims 17 and 18, the Examiner has summarily rejected the claims. Claim 17 was amended to include the limitation of a slide button that couples to the battery latch to retain the battery latch in the housing. Basis for the amendment can be found on page 6, line 24 of the specification. include the limitation of a slide button that couples to the battery latch to retain the battery latch in the housing. The cited art does not teach or suggest this limitation. include the limitation of a slide button that couples to the battery latch to retain the battery latch in the housing. The cited art does not teach or suggest this limitation. In addition, Claim 18 depends on claim 17, which is allowable for the reasons given above. As a result, claim 18 is allowable as depending on an allowable independent claim. Reconsideration of the rejection of claims 16-18 is respectfully requested.

Rejection of claim 19 under 35 U.S.C. §103(a) as being unpatentable over Murakami in view of Simpson

The Examiner rejected claim 19 under 35 U.S.C. §103(a) as being unpatentable over Murakami in view of Simpson. Claim 19 was amended to overcome the Examiner's objection as described above and is still pending. Further, claim 19 was amended to include the limitation of a slide button that couples to the battery latch to retain the battery latch in the housing. Applicants traverse the Examiner's finding of obviousness of claim 19 as amended. The cited art, alone or in combination does not teach or suggest the claimed invention. Neither Murakami nor Simpson nor their combination teach a battery pack as recited in claim 19. Specifically, Simpson teaches the a button 102 that clips into the latch and holds the button to the latch. The button does not retain the battery latch in the housing as claimed by Applicants. Applicants respectfully request reconsideration of the Examiner's rejection of claim 19 under 35 U.S.C. §103(a) based on the combination of Murakami and Simpson.

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

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Respectfully submitted,

By \_\_\_\_\_

  
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